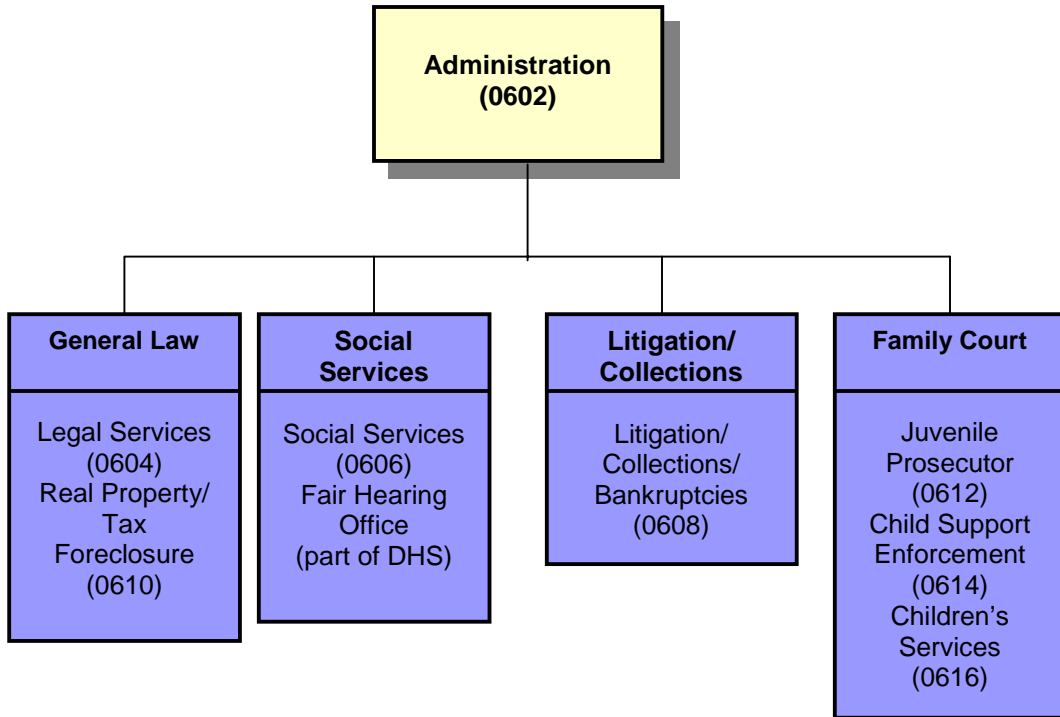
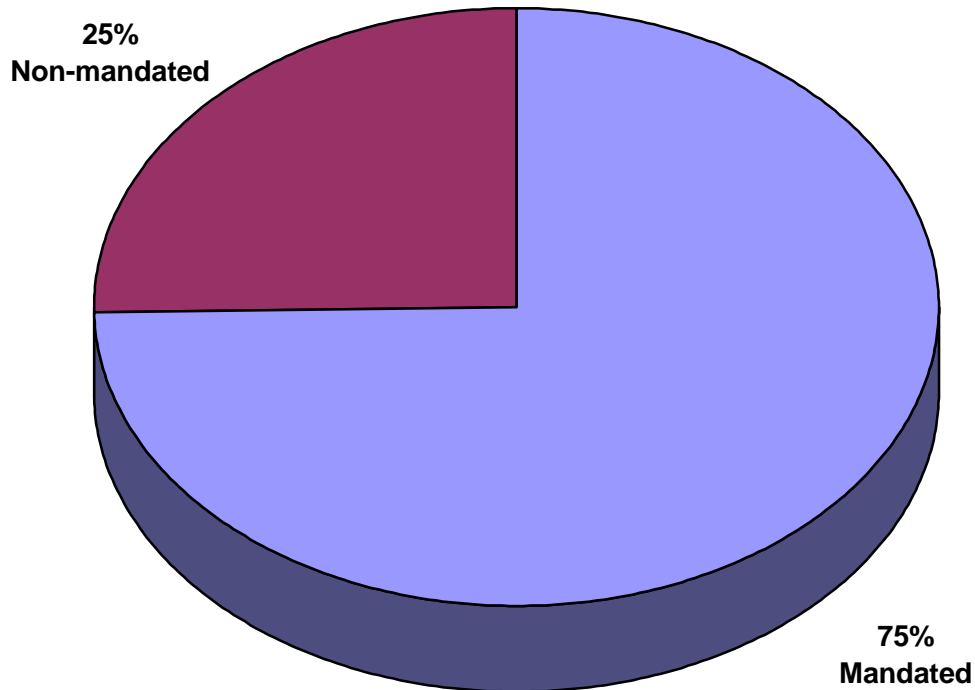


LAW (006)



LAW

2005 MANDATED/NON-MANDATED



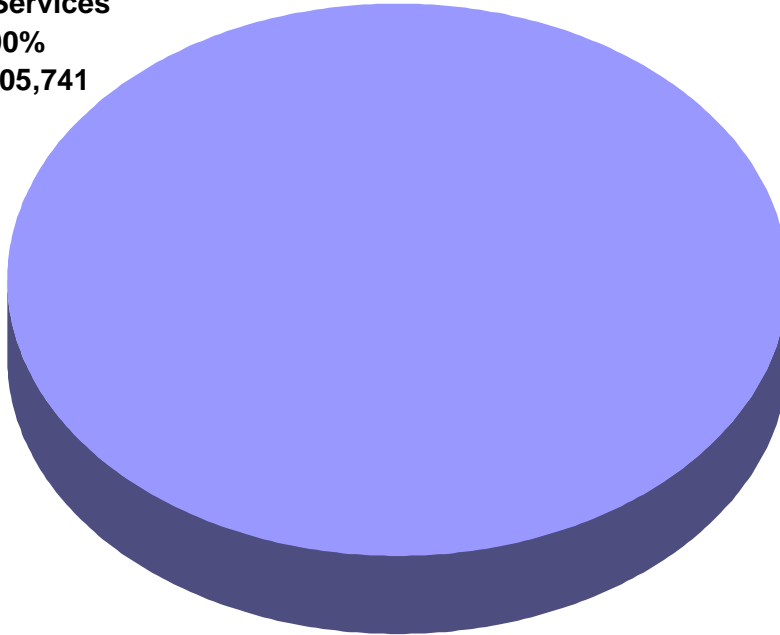
State law mandates that Monroe County provides legal services in all aspects of Social Services, ranging from Medicaid and Public Assistance to all child welfare matters including Family Court, Foster Care and the Child Support Enforcement Unit.

The non-mandated portion of the Law Department provides legal services in the areas of General Law, Litigation, Real Property/Tax Foreclosure and the Juvenile Prosecutor's Office.

LAW

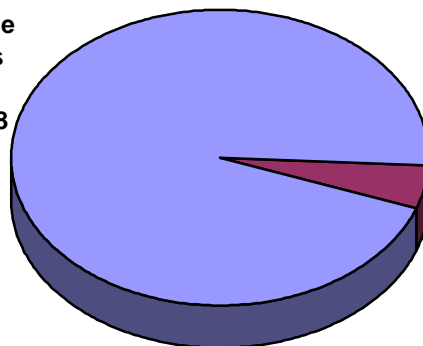
2005 Budget - \$10,105,741

Legal Services
100%
\$10,105,741



Net County Support

Attributable
Revenues
95.2%
\$9,621,248



Net County
Support
4.8%
\$484,493

DEPARTMENT: Law (006)

DEPARTMENT DESCRIPTION

The Monroe County Law Department provides to county departments and residents high quality legal representation and counsel that are of value to the community at large. These services meet client and public needs, are delivered expeditiously and inspire client and public confidence.

Mission

The Law Department shall deliver responsive, efficient, effective legal representation and counsel to county departments and residents, in order to assist in providing the highest return to the community on their investment. The Law Department provides quality legal services to enable Monroe County government to assure a safe, healthy, prosperous and stimulating environment which results in a world class place to live, work and enjoy life.

2004 Major Accomplishments

- Instituted procedures for improving the quality and efficiency of the legislative referral process
- Prepared county wide procurement policy and procedure for all goods and services
- Eliminated Health Department backlog of violation hearings, primarily of Adolescent Tobacco Use Protection Act and smoking violations
- Prepared the legal procedures for the County's Quarantine and Bioterrorism Plan
- Developed a policy and protocol for reviewing accountings of supplemental needs trusts
- Secured repayment of substantial (over \$100,000) Medicaid liens on complicated tort actions in several matters
- School Nurse Litigation - Successfully defended school district's request for temporary restraining order of preliminary injunction. We had the case dismissed, thereby protecting the county's saving of \$4.4 million per year
- Resolution of Medicaid rate appeals to the \$8.5 million benefit of the county
- Landmark Zoo Litigation - Successful defense on appeal of county's right to develop Zoo property within city parkland
- Collections Unit averaged recoveries of \$80,000 per month and bankruptcy recoveries averaged \$14,000 per month
- Successfully prosecuted more than 1,000 Juvenile Delinquency cases
- Installed Pictometry, software system to quickly and easily access high resolution aerial images of property, buildings, intersections and other features in the county. This will enhance our ability to investigate cases and present evidence at trial
- Obtained \$420,000 grant from US Department of Justice to support Juvenile Justice Initiative, which is a project designed to reduce the recidivism rate of youth in the juvenile justice system
- Exceeded performance measure set by New York State for paternity establishment. The state goal is 90%, Monroe County is currently at 91%
- Maintained support establishment performance measure in excess of state goal of 80%
- Medical support execution process secured private health insurance coverage for more than 1,200 children formerly on Medicaid - an average savings to the taxpayers of \$1,800 per child

2005 Major Objectives

- Expand the development of procedures and checklists for departments to directly handle standard Freedom of Information requests
- Ratification of county wide procurement policy and procedures, and implement the procedure for annual review in compliance with the General Municipal Law
- Develop and implement plan for: Coordinating work of the Social Services Unit with work of both Fair Hearing Office and Staff Development Office of Department of Human Services (DHS); have the resource recovery technicians work more closely with the fraud and Special Investigations Units of DHS
- Handle anticipated increases in Juvenile Delinquency petitions, hearings and trials
- Initiate electronic filings of petitions with Family Court
- Improve data exchange with Family Court to enable electronic building of child support accounts upon entry of a support order

BUDGET SUMMARY

	Amended Budget 2004	Budget 2005
<u>Appropriations</u>		
Personal Services	6,460,585	6,599,383
Expenses	508,568	406,429
Supplies and Materials	39,250	37,300
Employee Benefits	2,193,443	1,966,640
Interfund Transfers	1,035,810	1,095,989
Total	10,237,656	10,105,741
<u>Revenue</u>		
Charges to Social Services	2,259,087	2,314,566
Charges to Insurance	538,000	538,000
Charges to Other Departments	887,832	993,808
City - Law Enforcement Block Grant	60,000	0
Hotel Room Occupancy Tax	13,688	13,750
Transfer from Capital Fund	117,000	117,000
Federal Aid	4,452,841	4,576,137
State Aid	971,789	997,987
Charges to Airport Authority	70,000	70,000
Total	9,370,237	9,621,248
<u>Net County Support</u>	867,419	484,493

BUDGET HIGHLIGHTS

Employee Benefits reflects adjustments resulting from the 2004-2005 New York State budget and its treatment of retirement costs. **Expenses** reflects a decrease in telephone and computer leasing expenses that are now budgeted in Information Services, as well as a decrease in professional services funding.

Revenue increases in **Federal Aid, State Aid, Charges to Social Services** and **Charges to Other Departments**, contribute to a decrease in net county support for 2005.

DIVISION DESCRIPTIONS

Administration (0602)

The County Attorney directs the activities of all units of the Law Department, develops policies and procedures and supervises the staff. Administrative support staff perform personnel/payroll, budgetary and office management functions.

General Law - Legal Services (0604)

The goal of this division is to provide legal advice and analysis and litigation support to the County Executive; all county departments and offices; the County Legislature and all bodies created or authorized by the County Legislature; all county officers and employees on county related matters in order to support county operations. This division also renders legal opinions; drafts state and local legislation; reviews legislative communications; drafts and reviews contracts, specifications and other legal documents; and is responsible for special legal projects. Outcome measures include the percentage of activities achieving service quality standards.

General Law - Social Services (0606)

The goals of this division are: 1) to provide professional legal representation to Social Services in order to advocate within the confines of the law, for results that maximize the delivery of their services, i.e. public assistance, Medicaid, conservatorships; at the lowest cost; and 2) to maximize the collection of monies owed Social Services at the lowest cost. Outcome measures include the decrease in the percentage of lawsuits brought against Social Services that result from allegations that Social Services violated the law.

Litigation/Insurance/Collections (0608)

The goal of this division is to provide litigation, collection and insurance services to the County of Monroe and all its officers and employees in litigation matters, in order to maximize recoveries and minimize payments. This division also represents the county in human rights cases and administrative hearings. The division is also responsible for administering the county's self-insurance program and procures insurance coverage in those areas for which the county is not self-insured. Outcome measures include the percentage of cases concluded within reserved values.

Real Property Transactions/Tax Foreclosure (0610)

This unit is responsible for all real property transactions involving the county. These transactions include acquisition of real property, sale of real property, easements, negotiation and drafting of leases involving the county and condemnation actions for the acquisition by the county of interests in real property. This division also conducts all tax foreclosure actions. Outcome measures are included above.

Family Court - Juvenile Prosecutor's Office (0612)

The goal of this division is to hold juveniles, who are delinquent, or in need of supervision, accountable for their actions through prosecution and treatment, and ultimately protecting public safety. This unit prosecutes offenses committed by juveniles; presents petitions in Persons in Need of Supervision (PINS) cases where requested by the court; assists the court in presenting evidence in violation of probation proceedings involving juveniles and in dispositional hearings. Outcome measures include the percentage of petitions filed that result in successful prosecution.

Family Court - Child Support Enforcement Unit (0614)

The goals of this division are; 1) to collect legally appropriate support obligations in order maximize the dollars available to children and Social Services; and 2) to establish paternity for out-of-wedlock children in order to provide financial support for children. This unit represents Social Services or custodial parents, by statute and contract, on support petitions, reciprocal support petitions and paternity petitions to enforce the collection of child support payments. Outcome measures include the percentage of cases resulting in support collections and the percentage of cases for which paternity is established.

Family Court - Children's Services (0616)

The goal of this division is to provide legal services to Social Services on all child welfare matters to protect the children of Monroe County. This division provides legal support in matters before the Family Court seeking relief on behalf of children who have been the victims of abuse or neglect. They also review the status of children voluntarily placed in foster care and termination of parental rights through guardianship actions or surrenders; appear in juvenile delinquency and Persons in Need of Supervision (PINS) proceedings affecting Social Services; advise Social Services staff in non-support matters affecting children; represent Social Services in administrative fair hearings regarding child protective, foster care and day care issues; and prosecutes and defends appeals. Outcome measures include the percentage of successful representations and percentage of cases maintaining federal funding.

Performance Measures

	Actual 2003	Est. 2004	Est. 2005
General Legal Services			
Contracts Prepared/Reviewed	705	800	800
Change Orders Prepared/Reviewed	235	230	230
Bid Specifications Reviewed	78	60	60
Freedom of Information Requests Reviewed	455	600	600
SEQR Reviews	78	80	80
Sole Source Designations	37	40	40
Home Improvement Loans	40	30	30
Real Estate Files	97	120	120
Delinquent Tax Parcels Foreclosed	1,389	1,826	1,600
General Social Services			
Lawsuits Defended	0	2	2
% Cases Dismissed/Settled Favorable to DHS	100%	100%	100%
Written Opinions Issued	35	40	40
% Inquiries Responded to within 14 days	100%	100%	100%
Claims Pursued	50	65	75
Dollars Collected	\$303,092	\$400,000	\$470,000
Litigation/Collections			
New Matters Processed:			
Collection	179	120	120
Bankruptcy	163	112	112
Amount Collected:			
Bankruptcy	\$616,011	\$178,262	\$178,262
Insurance	\$129,189	\$238,599	\$238,599
Other	\$1,526,784	\$829,339	\$829,339
Number of Judgements Entered In Uncollected Cases over \$2,000	10	8	8
Average Collection per Case			
Collection	\$17,444	\$24,328	\$24,328
Bankruptcy	\$501	\$580	\$580
Number of Claims Concluded	120	88	88
% Routine Claims Settled/Denied within 90 Days	80%	64%	64%
Insurance Advise Rendered	120	120	120
% Cases Having Reserve Values Established	100%	100%	100%
Number of Cases Resolved by:			
Denied	76	48	48
Dismissed by Court Order	17	20	20
Resolved by 3 rd Party Insurer	5	8	8
Resolved by Settlement	46	64	64

	Actual 2003	Est. 2004	Est. 2005
Cases Closed (s/l expired / not sued)	35	32	32
Other	26	40	40
% Case Reserves Established within 90 Days of	100%	100%	100%
% Cases Concluded within Reserve Value	95%	98%	98%
Juvenile Prosecutor's Office			
Number of Cases Referred	790	776	780
Number of Cases Carried from Prior Year	247	273	275
Number of PINS Cases Referred	46	26	26
Number of PINS Carried from Prior Year	12	12	12
Appeals Referred	4	14	15
Probation Violations Referred	167	164	164
Probation Violations Carried from Prior Year	46	55	55
Court Action Taken:			
Juvenile Delinquency Petitions Filed	612	542	545
Number of Trials	51	78	80
Number of Dispositional Hearings	62	100	100
Violation of Probation Hearings	16	20	20
Dispositions:			
Cases Closed	968	858	860
Number of Youth Placed with OCFS	185	182	185
Number of Youth Placed with DHS	67	42	45
Number of Youth Placed on Probation	364	172	175
Cases Dismissed with Consent of Prosecutor	182	218	220
Cases Dismissed without Consent of Prosecutor	5	8	8
Child Support Cases			
DHS Referrals Processed	2,541	2,500	2,500
Private Applications Processed	1,462	1,500	1,500
Paternities Established	2,471	2,500	2,500
DHS Collections	\$7,863,876	\$7,500,000	\$7,200,000
Private Collections	\$51,227,644	\$54,000,000	\$57,000,000
% Arrears Only Accounts with Collections	50%	53%	55%
% Current Support Collections	72%	80%	84%
Paternity Establishment Percentage	89%	91%	92%
Support Establishment Percentage	84%	84%	85%
Medical Insurance Establishment Percentage	49%	52%	55%
Children's Services			
Documents Prepared and Filed	1,636	1,650	1,650
Number of Appeals Records Prepared	21	20	20
Number of Appeals Briefs Filed	21	20	20
% Appeals Resulting in Favorable Outcome	80%	85%	85%
Number of Fair Hearings	142	150	150
% Fair Hearings Affirmed	92%	95%	95%
Number of Subpoena Responses (appearance/written)	721	750	750
Adoption Surrenders Taken	208	215	215